

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: DAVID LAUGHLIN
7119 FAIRVIEW #11
HOUSTON, TX 77041

CHAPTER 13

CASE NO. 04-40724-H1

DEBTOR

MOTION TO DISMISS FOR FAILURE TO MAKE PAYMENTS

The Chapter 13 Trustee moves to dismiss this case based on the Debtor failure to make required payments. The debtor is delinquent \$2,117.50, an amount constituting 3.50 months of required payments.

The delinquent payments are due for post confirmation payments required by the confirmed plan.

NOTICE TO DEBTORS: YOU MUST DO ONE OF THE FOLLOWING:

1. BRING YOUR PAYMENTS CURRENT WITHIN 15 DAYS OF THE DATE ON THIS MOTION.
2. FILE A RESPONSE WITHIN 15 DAYS THAT SHOWS THAT YOUR PAYMENTS ARE CURRENT.

IF YOU FAIL TO DO SO, THE BANKRUPTCY COURT WILL PROBABLY DISMISS YOUR BANKRUPTCY CASE AND MAY DO SO WITHOUT A HEARING. THE BANKRUPTCY COURT WILL NOT ALLOW PAYMENTS TO BE MADE AT THE HEARING.

IF A TIMELY REPONSE IS FILED, A HEARING WILL BE HELD ON MARCH 10, 2009 AT 1:45 PM IN THE U.S. BANKRUPTCY COURT, 515 RUSK, ROOM 404, 4TH FLOOR, HOUSTON, TX 77002.

WHEREFORE PREMISES CONSIDERED, the undersigned Trustee prays for an Order of Dismissal, conversion to Chapter 7, or such other relief as may be deemed just and appropriate.

Respectfully Submitted,

/s/ David G. Peake

DAVID G. PEAKE, TRUSTEE
ADMISSIONS ID NO. 15679500
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was sent to all parties listed on the matrix on file with the U. S. Bankruptcy Clerk's Office on or about the time this document was electronically filed with the Clerk on 2/12/2009. A copy of the Certificate of Mailing of this document is on file and may be viewed at the U. S. Bankruptcy Clerk's Office.

/s/ David G. Peake

DAVID G. PEAKE, TRUSTEE